

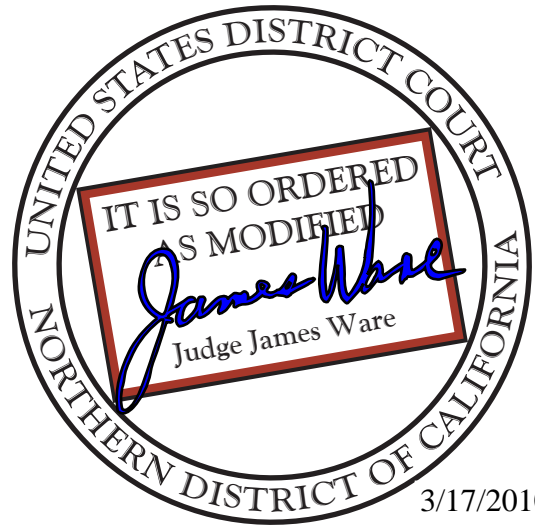
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BRICE YINGLING D/B/A ALAMO
AUTOSPORTS AND ANDY SCOTT,

Plaintiffs,

v.

EBAY INC.,

Defendant.

Case No. C 09 01733 JW (PVT)

**STIPULATION AND REQUEST TO
CONTINUE BRIEFING AND HEARING
DATES FOR CLASS CERTIFICATION
MOTION AND [Proposed] ORDER**

Defendant eBay Inc. files this stipulation and request to continue the briefing and hearing schedule for Plaintiffs' anticipated motion for class certification. The Court previously set the following dates related to class certification in its Scheduling Order (Docket No. 42):

- April 26, 2010: completion of all briefing on any motion for class certification.
- May 24, 2010: hearing on Plaintiffs' anticipated motion for class certification.

Counsel for Plaintiffs and Defendant have conferred and Plaintiffs' counsel hereby agrees and stipulates to eBay's request that the Court vacate the above dates and set the following revised dates related to class certification, in order to facilitate the orderly completion of discovery and in light of scheduling conflicts that have arisen for eBay's lead counsel:

- Plaintiffs' Class Certification Motion and any expert reports: **April 12, 2010.**
- eBay's Opposition and any expert reports: **May 3, 2010.**
- Plaintiffs' Reply Brief: **May 17, 2010.**
- Hearing **June 14, 2010 at 9:00 AM**


By: /s/ Keith Verges
Counsel for Plaintiffs
Brice Yingling and Andy Scott

By: /s/ Whitty Somvichian
Counsel for Defendant
eBay Inc.

THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

This is the parties' final extension.

DATED: March 17, 2010


The Honorable Judge James Ware

Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, Whitty Somvichian hereby attests that concurrence in the filing of this document has been obtained.